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PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) Craig a. Cavins et al. GROUP ART UNIT: 2815
 APPLN. NO.: 10/025,292 EXAMINER: George C. Eckert II
 FILED: December 19, 2001
 TITLE: NON-VOLATILE MEMORY AND METHOD OF FORMING THEREOF

5 / Terminal
Disclaimer

Certificate of Transmission under 37 CFR 1.8

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**TERMINAL DISCLAIMER UNDER 37 C. F. R. § 1.321(b) TO OBVIATE
 A DOUBLE PATENTING REJECTION BASED ON A PRIOR PATENT**

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 Alexandria, VA 22313

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 PROGRAMS EXAMINER

Petitioner, Motorola, Inc., a corporation of the State of Delaware, having its principal office in Schaumburg, State of Illinois, United States of America, is the owner of the entire interest in this application. Petitioner's title is based on an assignment from the original inventors Craig A. Cavins & Ko-Min Chang to petitioner, said assignment recorded by the assignment division of the US Patent Office on December 19, 2001 on reel number 12410, frame number(s) 279-282.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U. S. C. 154 to 156 and 173 of prior U.S. patent 6,438,030, as presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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terminally disclaimed under 37 C. F. R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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Please charge Deposit Account No. 502117 the Disclaimer fee in the amount of \$110.00 for the fee due under 37 C.F.R. §1.20(d). A duplicate of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment to Deposit Account No. 502117.

MOTOROLA, INC. (Petitioner)

Date: June 11, 2003

By: Kim-Marie Vo

Kim-Marie Vo

Attorney/Agent of Record

Reg. No. 50,714

Telephone Number: (512) 996-6839

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